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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/479,564      | 01/07/2000  | AKIKO MIYATA         | P/3156-13           | 3214             |

7590

05/22/2002

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EXAMINER

YUN, EUGENE

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 05/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/479,564

Applicant(s)

MIYATA, AKIKO

Examiner

Eugene Yun

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-20 is/are allowed.
- 6) ☒ Claim(s) 1,2,9,21 and 22 is/are rejected.
- 7) ☒ Claim(s) 3-8,10-14 and 23-28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
2. Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

### *Specification*

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 21 recites the limitation "said area specification means and said database means" in claim 21. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuji et al. (US 6,351,655) in view of Mochizuki et al. (US 6,044,248).

Referring to Claim 1, Tsuji teaches a destination calling control system comprising:

database means (see col. 5, lines 1-5);

display means 2 (fig. 1) for displaying image data (fig. 6);

input means through which the user enters destination data (see col. 5, lines 24-33);

destination data search means for searching said database means for the destination data (see col. 7, lines 3-11);and

calling means for calling the destination based on the destination data (see S112 of fig. 7).

Tsuji does not teach image storing means, and area specification means. Mochizuki teaches image storing means 108 (fig. 4A) for storing therein image data, area specification means for allowing a user to specify a desired area within the image displayed on said display means (see fig. 4C), and data registration means for calculating coordinate data of the area specified by said area specification means as a destination image area (see S208 of fig. 7), associating the coordinate data with the destination data entered from said input means (see fig. 8), and for registering the associated data with said database means (see S217 of fig. 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Mochizuki to said system of Tsuji in order to more conveniently store data in a mobile unit.

Referring to Claim 21, Tsuji teaches a destination calling control system comprising:

- a memory device configured to store a database (see col. 5, lines 1-5);
- a display unit 2 (fig. 1) for displaying image data (fig. 6);
- an input unit through which the user enters destination data (see col. 5, lines 24-33);
- a destination data search unit for searching said database for the destination data (see col. 7, lines 3-11); and
- a calling unit for calling the destination based on the destination data (see S112 of fig. 7).

Tsuji does not teach an image storing unit, and an area specification unit. Mochizuki teaches an image storing unit 108 (fig. 4A) for storing therein image data, an area specification unit for allowing a user to specify a desired area within the image displayed on said display unit (see fig. 4C), and a data registration unit for calculating coordinate data of the area specified by said area specification unit as a destination image area (see S208 of fig. 7), associating the coordinate data with the destination data entered from said input unit (see fig. 8), and for registering the associated data with said database (see S217 of fig. 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Mochizuki to said system of Tsuji in order to more conveniently store data in a mobile unit.

8. Claims 2 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuji and Mochizuki as applied to claims 1 and 21 above, and further in view of Ito et al. (US 5,671,014).

Referring to Claims 2 and 22, the combination of Tsuji and Mochizuki does not teach a touch screen. Ito teaches said display means comprising a touch screen and said area specification means allowing the user to specify the area through said touch screen (see ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Ito to said system of Tsuji in order to more easily access a destination database in a mobile unit.

***Allowable Subject Matter***

9. Claims 3-8 and 23-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding Claims 3 and 23, Tsuji, Mochizuki, and Ito do not teach, alone nor in combination, image pasting means for pasting a title image created by a title image creation means and the plurality of destination images captured by said image capturing means and for storing the pasted images.

Regarding Claims 8 and 28, Tsuji, Mochizuki, and Ito do not teach, alone nor in combination, said data registration means extracting an outline of a destination object in the destination image area specified by said area specification means.

10. Claims 9-14 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Regarding Claim 9, Tsuji, Mochizuki, and Ito do not teach, alone nor in combination, allowing a user to specify a desired area within an image displayed based on the image data stored in said first step and, at the same time, to enter destination data on the destination image area.

11. Claims 15-20 are allowed for the same reasons set forth in claims 9-14.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.


Application/Control Number: 09/479,564  
Art Unit: 2683

Page 7

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William G Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Eugene Yun  
Examiner  
Art Unit 2683

Lee Nguyen   
Primary Examiner

EY  
May 9, 2002